



Atty. Docket No.: 18396/1140

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robinson, et al.  
Serial No.: 09/484,629  
Filed: January 18, 2000  
Entitled: Obesity Gene

Examiner: Woitach, J.

Group Art Unit: 1632

Conf. No.: 9911

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV 242755674 US** on this date, September 20, 2004, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**NOTICE OF APPEAL PURSUANT TO 37 CFR § 1.191(a)**

Sir:

Applicant hereby appeals to the Board of Appeals and Patent Interferences from the decision of the Primary Examiner dated January 8, 2004, in which the rejection of Claims 8-16, 28 and 31, 33, 34 and 36 were made final.

[ X ] The Commissioner of Patents is hereby authorized to charge the fee of 165.00 to Deposit Account No. 16-0085, Reference No. 18396/1140 for filing this Notice of Appeal under 37 C.F.R. § 1.17(b) . A duplicate of this letter is enclosed for that purpose.

The following checked items are appropriate:

[X] A response to the final rejection:

[ ] was filed previously,

[X] accompanies this paper.

[X] A petition for extension of time under 37 C.F.R. § 1.17(b) for three (3) months accompanies this paper.

09/22/2004 WBD/ELR1 00000087 160085 09484629

02 FC:2401 165.00 DA

Serial No.: 09/484,629  
Docket No.: 18396/1140

Oral Hearing

[ ] An oral hearing before the Board of Appeals is hereby requested under 37 C.F.R.

§1.194. The Commissioner is authorized to charge the fee required under 37 C.F.R.

§1.17(g) (\$) to Deposit Account No. 16-0085, Reference No. .

The Commissioner is hereby authorized and instructed to charge any additional fees that may be required in connection with this paper, or to credit overpayment, to Deposit Account No. 16-0085, Reference No. 18396/1140. A duplicate of this paper is enclosed herewith for accounting purposes.

Date: September 20, 2004

Respectfully submitted,

  
Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 29933

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100